

RECEIVED
CENTRAL FAX CENTER
JUL 26 2005

MYERS BIGEL SIBLEY & SAJOVEC, P.A.

Patent Attorneys

4140 Parklake Avenue, Suite 600, Raleigh, NC 27612

or

P.O. Box 37428

Raleigh, NC 27627

919-854-1400

Facsimile 919-854-1401

TELECOPIER TRANSMISSION COVER SHEET

Date: July 26, 2005

Application No. 10/633,835

Attorney Docket: 9280.2

Telecopier No.: 703-746-9195

To: Office of Initial Patent Examination, Customer Service Center
Commissioner for Patents

Company: United States Patent and Trademark Office

From: Kenneth D. Sibley

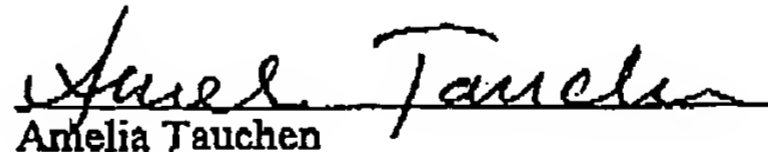
Number of Pages: 4

Return fax to: Amelia Tauchen

If there is a problem with this transmission, please call (919) 854-1400. Our fax number is (919) 854-1401.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to 703-746-9195
on July 26, 2005


Amelia Tauchen

Confidentiality Note

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address above via the United States Postal Service. THANK YOU.

JUL 26 2005 1:28PM

MBS&S 919 854-1401

RECEIVED
CENTRAL FAX CENTER

NO. 8067 P. 2

JUL 26 2005

ATTORNEY DOCKET NO. 9280-2
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re: T. Elich et al.

Serial No.: 10/633,835

Filed: August 4, 2005

For: *Recombinant Biotin Carboxylase Domains for Identification of Acetyl CoA Carboxylase Inhibitors*

Confirmation No.: 5061

Group Art Unit: 1645

Examiner: Padmavathi Baskar

Date: July 26, 2005

Attn: Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VIA FACSIMILE ONLY 703-746-9195

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

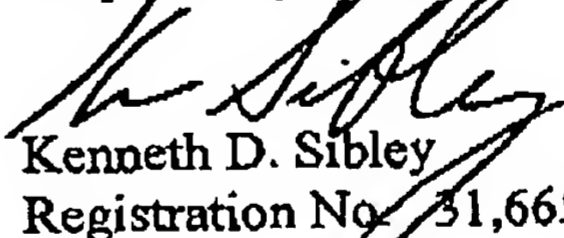
In reviewing the Official Updated Filing Receipt Mailed January 28, 2004 (copy attached) for the above referenced application, Applicant notes that the title incorrectly appears as Recombinant Biotin Carboxylase Domains for Identification of Acetyl CoA Carboxylase Inhibitors.

Applicant respectfully requests that the title be corrected to read Recombinant biotin Carboxylase Domains for Identification of Acetyl CoA Carboxylase Inhibitors and that a corrected Filing Receipt be issued.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. No fee is believed due, however the Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.


USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

Respectfully submitted,


Kenneth D. Sibley
Registration No. 31,665

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office on July 26, 2005 via facsimile number 703-746-9195.


Amelia Tauchen

KDS

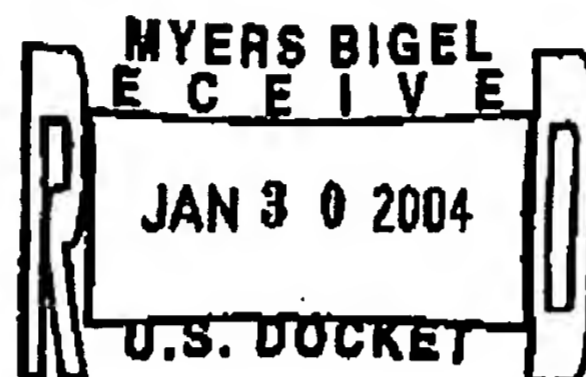


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/633,835	08/04/2003	1645	916	9280.2	21	22	1

20792
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627



CONFIRMATION NO. 5061

UPDATED FILING RECEIPT

OC000000011773749

Date Mailed: 01/28/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Tedd E. Elich, Durham, NC;
Sandra L. Volrath, Durham, NC;
Stephanie C. Weatherly, Durham, NC;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/401,170 08/05/2002

Foreign Applications

If Required, Foreign Filing License Granted: 10/30/2003

Projected Publication Date: 05/06/2004

Non-Publication Request: No

Early Publication Request: No

01-30-04 100:02 IN

Title

Recombinant biotin carboxylase domains for identification of Acetyl CoA carboxylase inhibitors

Preliminary Class

530

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).